

Entered - 09/28/00 - sb
CL00L0595 - DIANNE C. MITCHELL

00-R -1725

CLAIM OF: JOYCE BRYANT
P. O. Box 31131-1743
Atlanta, Georgia 31131-1743

For damages alleged to have been sustained as a result of vehicular damage due to debris in the roadway on July 7, 2000 at Interstate 285 and Highway 166.

THIS ADVERSED REPORT IS APPROVED

BY: Rosalind Rubens Newell
ROSALIND RUBENS NEWELL
DEPUTY CITY ATTORNEY

CONSENT AGENDA

ADVERSED BY
CITY COUNCIL NOV 06 2000

DIVERSE REPORT

Public Safety
10/31/00
V-C Clara Minslow
Dorey Smith
Wendy B.
Sherry Jones

CERTIFIED
NOV 6 2000
ATLANTA CITY COUNCIL PRESIDENT
Robert W. Pitts

CERTIFIED
NOV 06 2000
Rhonda Daughlin Johnson
MUNICIPAL CLERK



OFFICE OF MUNICIPAL CLERK

RHONDA DAUPHIN JOHNSON, CMC
MUNICIPAL CLERK

55 TRINITY AVENUE, S.W.
SECOND FLOOR, EAST
SUITE 2700
ATLANTA, GEORGIA 30335
(404) 330-6033
FAX (404) 658-6103

November 14, 2000

Joyce Bryant
P. O. Box 31131-1743
Atlanta, Ga 31131-1743

00-R-1725

Dear Ms. Bryant:

I sincerely regret that you have been adversely affected by the circumstances raised in your claim for damages against the City of Atlanta. Your time and patience in this matter has been greatly appreciated.

However, I must notify you that the Atlanta City Council Adopted an Adverse Report on your claim at its regular meeting on November 6, 2000. In consultation with the City's Law Department, who conducted an investigation of the situation, the Council has determined that the City cannot accept responsibility for this matter and therefore cannot pay this claim.

If you desire any further information, please contact the City Attorney's Office/Claims Division at (404) 330-6400.

Sincerely,

Rhonda Dauphin Johnson, CMC
Municipal Clerk

cc: Claims Division/Law Department

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 00L0595

Date: October 10, 2000

Claimant /Victim JOYCE BRYANT

BY: (Atty.) (Ins. Co.)

Address: P. O. Box 311743, Atlanta, Georgia 31131-1743

Subrogation: Claim for Property damage \$ 491.75 Bodily Injury \$

Date of Notice: 09/26/00 Method: Written, proper X Improper

Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X

Date of Occurrence 07/07/00 Place: Interstate 285 and Highway 166

Department Division:

Employee involved Disciplinary Action:

NATURE OF CLAIM: The claimant alleges her vehicle was damaged when she drove over debris in the roadway. The investigation determined that the location of the incident is part of the State highway system and is under the maintenance and control of the State of Georgia, Department of Transportation. The State of Georgia, Department of Transportation is a separate legal entity from the City of Atlanta. The claimant has been advised of the above.

INVESTIGATION:

Statements: City employee Claimant Others Written Oral

Pictures Diagrams Reports: Police Dept Report Other

Traffic citations issued: City Driver Claimant Driver

Citation disposition: City Driver Claimant Driver

BASIS OF RECOMMENDATION:

Function: Governmental Ministerial

Improper Notice More than Six Months Other Damages reasonable

City not involved X Offer rejected Compromise settlement

Repair/replacement by Ins. Co. Repair/replacement by City Forces

Claimant Negligent City Negligent Joint Claim Abandoned

Respectfully submitted,

[Signature]
INVESTIGATOR - DIANNE C. MITCHELL

RECOMMENDATION:

Pay \$ Adverse X Account charged: 1A01 2J01 2H01

Claims Manager: [Signature] Concur/date 10-10-00

Committee Action: Council Action

rec'd 9-26-00

cc: SG

original to Dianne Mitchell

M Mitchell

09/27/00



August 31, 2000

CERTIFIED MAIL RECEIPT
7099 3400 0015 6971 6128

ENTERED - 9-28-00 - SB
00L0595 - DIANNE MITCHELL

City of Atlanta
City of Attorney Office
68 Mitchell Street, Suite 4100
Atlanta, GA 30335

Dear Sir/Madam:

On July 7, 2000 I had an unpleasant experience while traveling on 285 South toward Lakewood Freeway 166. As I approached Exit 5A, there was a steel beam lying on the road in my lane. It is my belief that the steel beam must have fallen off the highway sign near Exit 5A.

To prevent an accident, I was forced to drive over the beam which caused all four tires to go flat. If this object was not in the pathway, my tires would not have been flattened. There were witnesses present who assisted me during this entire ordeal and I can supply you with their names and telephone numbers, if you need them.

Therefore, I am asking to be reimbursed for the damage done to my car. Hyundai Specialist in Riverdale, Georgia assessed that I need to have a front-end alignment and my front left wheel was bent due to my driving over the steel object.

I have attached all pertinent documents to my claim for reimbursement which totals \$491.75 and I would appreciate very much your contacting me as soon as possible concerning this matter.

Sincerely,


Joyce Bryant

00- R -1725

RCS# 2356
11/06/00
2:45 PM

Atlanta City Council

Regular Session

CONSENT

Pages 1-17

ADOPT

YEAS: 14
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 1
EXCUSED: 0
ABSENT 1

SEE ATTACHED LISTING OF
ITEMS ADOPTED/ADVERSED
ON CONSENT AGENDA

Y McCarty
B Starnes
Y Bond
Y Winslow

Y Dorsey
Y Woolard
Y Morris
Y Muller

Y Moore
Y Martin
Y Maddox
Y Boazman

Y Thomas
Y Emmons
Y Alexander
NV Pitts

ITEM (S) REMOVED FROM
CONSENT AGENDA
00-R-1422
00-R-1666

CONSENT

		11/06/00 Council Meeting
ITEMS ADOPTED ON CONSENT AGENDA	ITEMS ADVERSED ON CONSENT AGENDA	ITEMS ADVERSED ON CONSENT AGENDA
1. 00-O-1577	30. 00-R-1716	59. 00-R-1753
2. 00-O-1586	31. 00-R-1724	60. 00-R-1754
3. 00-O-1615	32. 00-R-1725	61. 00-R-1755
4. 00-O-1661	33. 00-R-1727	62. 00-R-1756
5. 00-O-1663	34. 00-R-1728	63. 00-R-1757
6. 00-O-1670	35. 00-R-1729	64. 00-R-1758
7. 00-R-1578	36. 00-R-1730	65. 00-R-1759
8. 00-R-1685	37. 00-R-1731	66. 00-R-1760
9. 00-R-1780	38. 00-R-1732	67. 00-R-1761
10. 00-R-1659	39. 00-R-1733	68. 00-R-1762
11. 00-R-1688	40. 00-R-1734	69. 00-R-1763
12. 00-R-1689	41. 00-R-1735	70. 00-R-1764
13. 00-R-1704	42. 00-R-1736	71. 00-R-1765
14. 00-R-1722	43. 00-R-1737	72. 00-R-1766
15. 00-R-1723	44. 00-R-1738	73. 00-R-1767
16. 00-R-1708	45. 00-R-1739	74. 00-R-1768
17. 00-R-1774	46. 00-R-1740	75. 00-R-1769
18. 00-R-1709	47. 00-R-1741	76. 00-R-1770
19. 00-R-1710	48. 00-R-1742	77. 00-R-1771
20. 00-R-1711	49. 00-R-1743	78. 00-R-1772
21. 00-R-1712	50. 00-R-1744	79. 00-R-1773
22. 00-R-1713	51. 00-R-1745	
23. 00-R-1714	52. 00-R-1746	
24. 00-R-1715	53. 00-R-1747	
25. 00-R-1717	54. 00-R-1748	
26. 00-R-1718	55. 00-R-1749	
27. 00-R-1719	56. 00-R-1750	
28. 00-R-1720	57. 00-R-1751	
29. 00-R-1721	58. 00-R-1752	